

# Daily Digest

## HIGHLIGHTS

Senate passed S. 3326, African Growth and Opportunity Act.

Senate and House passed H.R. 5986, African Growth and Opportunity Act.

Senate agreed to S. Con. Res. 56, Adjournment Resolution.

Senate agreed to S. Con. Res. 59, Adjournment Resolution.

## Senate

### Chamber Action

*Routine Proceedings, pages S5901–S6019*

**Measures Introduced:** Forty bills and eleven resolutions were introduced, as follows: S. 3481–3520, S. Res. 541–547, and S. Con. Res. 56–59.

**Pages S5976–78**

#### Measures Reported:

S. 1956, to prohibit operators of civil aircraft of the United States from participating in the European Union's emissions trading scheme, with an amendment in the nature of a substitute. (S. Rept. No. 112–195)

H.R. 5856, making appropriations for the Department of Defense for the fiscal year ending September 30, 2013, with an amendment in the nature of a substitute. (S. Rept. No. 112–196)

H.R. 5882, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2013, with an amendment in the nature of a substitute. (S. Rept. No. 112–197)

S. 546, to extend the Federal recognition to the Little Shell Tribe of Chippewa Indians of Montana. (S. Rept. No. 112–198)

S. 1065, to settle land claims within the Fort Hall Reservation, with an amendment in the nature of a substitute. (S. Rept. No. 112–199)

S. 1218, to provide for the recognition of the Lumbee Tribe of North Carolina. (S. Rept. No. 112–200)

S. 379, to extend Federal recognition to the Chickahominy Indian Tribe, the Chickahominy Indian Tribe-Eastern Division, the Upper Mattaponi Tribe, the Rappahannock Tribe, Inc., the Monacan Indian Nation, and the Nansemond Indian Tribe. (S. Rept. No. 112–201)

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S. 772, to protect Federal employees and visitors, improve the security of Federal facilities and authorize and modernize the Federal Protective Service, with an amendment. (S. Rept. No. 112–202)

S. 225, to permit the disclosure of certain information for the purpose of missing child investigations, with an amendment in the nature of a substitute.

S.J. Res. 44, granting the consent of Congress to the State and Province Emergency Management Assistance Memorandum of Understanding. **Page S5976**

#### Measures Passed:

*African Growth and Opportunity Act:* Senate passed S. 3326, to amend the African Growth and Opportunity Act to extend the third-country fabric program and to add South Sudan to the list of countries eligible for designation under that Act, to make technical corrections to the Harmonized Tariff Schedule of the United States relating to the textile and apparel rules of origin for the Dominican Republic-Central America-United States Free Trade Agreement, to approve the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, after taking action of the following amendment proposed thereto:

**Pages S5904–07, S5919–21, S5934**

Rejected:

By 40 yeas to 58 nays (Vote No. 188), Coburn Amendment No. 2771, in the nature of a substitute.

**Pages S5905–07, S5919–20**

*African Growth and Opportunity Act:* Senate passed H.R. 5986, to amend the African Growth and Opportunity Act to extend the third-country fabric program and to add South Sudan to the list of countries eligible for designation under that Act, to make technical corrections to the Harmonized

Tariff Schedule of the United States relating to the textile and apparel rules of origin for the Dominican Republic-Central America-United States Free Trade Agreement, to approve the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003. **Page S5934**

**Adjournment Resolution:** Senate agreed to S. Con. Res. 56, providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives. **Page S5940**

**National Security:** Senate passed S. 3510, to prevent harm to the national security or endangering the military officers and civilian employees to whom internet publication of certain information applies. **Pages S5940–41**

**Ambassador James R. Lilley and Congressman Stephen J. Solarz North Korea Human Rights Reauthorization Act:** Senate passed H.R. 4240, to reauthorize the North Korean Human Rights Act of 2004. **Page S6006**

**Enrollment Correction:** Senate agreed to S. Con. Res. 58, directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 4240. **Page S6006**

**Immigration:** Committee on the Judiciary was discharged from further consideration of S. 3245, to extend by 3 years the authorization of the EB–5 Regional Center Program, the E-Verify Program, the Special Immigrant Nonminister Religious Worker Program, and the Conrad State 30 J–1 Visa Waiver Program, and the bill was then passed, after agreeing to the following amendments proposed thereto: **Pages S6006–07**

Reid (for Leahy) Amendment No. 2773, in the nature of a substitute. **Page S6007**

Reid (for Leahy/Grassley) Amendment No. 2774, to amend the title. **Page S6007**

**Battery Recharging Stations:** Senate passed H.R. 1402, to authorize the Architect of the Capitol to establish battery recharging stations for privately owned vehicles in parking areas under the jurisdiction of the House of Representatives at no net cost to the Federal Government. **Page S6007**

**Uniformed Services Employment and Reemployment Rights Act:** Committee on Commerce, Science, and Transportation was discharged from further consideration of H.R. 3670, to require the Transportation Security Administration to comply with the Uniformed Services Employment and Reemployment Rights Act, and the bill was then passed. **Page S6007**

**Condemning Joseph Kony and the Lord's Resistance Army:** Senate agreed to S. Res. 402, condemning Joseph Kony and the Lord's Resistance

Army for committing crimes against humanity and mass atrocities, and supporting ongoing efforts by the United States Government and governments in central Africa to remove Joseph Kony and Lord's Resistance Army commanders from the battlefield, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto: **Pages S6007–10**

Reid (for Coons) Amendment No. 2775, in the nature of a substitute. **Page S6008**

**Doolittle Tokyo Raiders:** Committee on Armed Services was discharged from further consideration of S. Res. 418, commemorating the 70th anniversary and commending the brave men of the 17th Bombardment Group (Medium) who became known as the "Doolittle Tokyo Raiders" for outstanding heroism, valor, skill, and service to the United States in conducting the bombing of Tokyo on April 18, 1942, and the resolution was then agreed to, after agreeing to the following amendments proposed thereto: **Pages S6010–11**

Reid (for Brown (OH)) Amendment No. 2776, in the nature of a substitute. **Page S6010**

Reid (for Brown (OH)) Amendment No. 2777, to amend the preamble. **Page S6010**

Reid (for Brown (OH)) Amendment No. 2778, to amend the title. **Pages S6010–11**

**Support of the 2002 Declaration of Conduct of Parties in ASEAN and the People's Republic of China:** Committee on Foreign Relations was discharged from further consideration of S. Res. 524, reaffirming the strong support of the United States for the 2002 declaration of conduct of parties in the South China Sea among the member states of ASEAN and the People's Republic of China, and the resolution was then agreed to, after agreeing to the following amendment proposed thereto: **Pages S6011–12**

Reid (for Webb) Amendment No. 2779, to amend the preamble. **Page S6011**

**100th Anniversary of Navy Dental Corps:** Senate agreed to S. Res. 544, congratulating the Navy Dental Corps on its 100th anniversary. **Page S6012**

**75th Anniversary of Air Force Weather:** Senate agreed to S. Res. 545, commemorating the 75th Anniversary of Air Force Weather. **Page S6012**

**National Adult Education and Family Literacy Week:** Senate agreed to S. Res. 546, designating the week of September 10, 2012, as "National Adult Education and Family Literacy Week". **Pages S6012–13**

**Honoring the life of Dr. Sally Ride:** Senate agreed to S. Res. 547, honoring the life of pioneering astronaut Dr. Sally Ride and expressing the condolences of the Senate on her death. **Page S6013**

**Authorizing the Use of the Rotunda:** Senate agreed to H. Con. Res. 135, authorizing the use of the rotunda of the Capitol for the presentation of the Congressional Gold Medal to Daw Aung San Suu Kyi, in recognition of her leadership and perseverance in the struggle for freedom and democracy in Burma. **Page S6013**

**Adjournment Resolution:** Senate agreed to S. Con. Res. 59, providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives. **Pages S6013–14**

#### Measures Considered:

**Veterans Jobs Corps Act—Cloture:** Senate began consideration of the motion to proceed to consideration of S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps.

**Pages S5901–04, S5921–27, S5934–40, S5941–50**

A motion was entered to close further debate on the motion to proceed to consideration of the bill, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Thursday, August 2, 2012, a vote on cloture will occur at 2:15 p.m., on Tuesday, September 11, 2012. **Page S5950**

**Cybersecurity Act—Cloture:** By 52 yeas to 46 nays (Vote No. 187), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on S. 3414, to enhance the security and resiliency of the cyber and communications infrastructure of the United States. **Pages S5907–19**

Subsequently, Senator Reid entered a motion to reconsider the vote by which cloture was not invoked on the bill. **Page S5919**

**Authorizing Leadership to Make Appointments—Agreement:** A unanimous-consent agreement was reached providing that, notwithstanding the upcoming recess or adjournment of the Senate, the President of the Senate, the President Pro Tempore and the Majority and Minority Leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate. **Page S6014**

**Authority for Committees—Agreement:** A unanimous-consent agreement was reached providing that, notwithstanding the Senate's recess, committees be authorized to report legislative and executive matters

on Tuesday, August 28, 2012 from 12 noon until 2 p.m. **Page S6014**

**Signing Authority—Agreement:** A unanimous-consent agreement was reached providing that from Thursday, August 2, 2012 through Monday, September 10, 2012, the Majority Leader and Senators Webb, Reed, Conrad, and Cardin be authorized to sign duly enrolled bills or joint resolutions. **Page S6014**

**Pro Forma Sessions—Agreement:** A unanimous-consent agreement was reached providing that the Senate convene for pro forma session only, with no business conducted, on the following dates and times, and that following each pro forma session, the Senate adjourn until the next pro forma session: Friday, August 3, 2012 at 10:15 a.m.; Tuesday, August 7, 2012 at 11 a.m.; Friday, August 10, 2012 at 11 a.m., Tuesday, August 14, 2012 at 2:30 p.m.; Friday, August 17, 2012 at 11:30 a.m.; Tuesday, August 21, 2012 at 10 a.m.; Friday, August 24, 2012 at 10 a.m., Tuesday, August 28, 2012 at 2:30 p.m.; Friday, August 31, 2012 at 11:30 a.m.; Tuesday, September 4, 2012 at 11:30 a.m.; and Friday, September 7, 2012 at 12 p.m.; and that the Senate adjourn on Friday, September 7, 2012, until 2 p.m., on Monday, September 10, 2012, unless the Senate has received a message from the House that it has adopted S. Con. Res. 59 which is the adjournment resolution, and if the Senate has received such a message, the Senate adjourn until Monday, September 10, 2012, at 2 p.m., under the provisions of S. Con. Res. 59. **Page S6014**

**Rose Nomination—Agreement:** A unanimous-consent-time agreement was reached providing that at 5 p.m., on Monday, September 10, 2012, Senate begin consideration of the nomination of Stephanie Marie Rose, of Iowa, to be United States District Judge for the Southern District of Iowa; that there be 30 minutes for debate equally divided in the usual form; that upon the use or yielding back of time, Senate vote, without intervening action or debate, on confirmation of the nomination; and that no further motions be in order. **Page S6004**

**Status Quo Nominations—Agreement:** As if in executive session, if the Senate adjourns under S. Con. Res. 59, a unanimous-consent agreement was reached providing that all nominations received by the Senate during the 112th Congress, 2nd session, remain in status quo, notwithstanding the provisions of Rule XXXI, paragraph 6, of the Standing Rules of the Senate, with the following exception: Caitlin Joan Halligan, of New York, to be United States Circuit Judge for the District of Columbia Circuit. **Page S6006**

**Nominations Confirmed:** Senate confirmed the following nominations:

By 55 yeas to 41 nays (Vote No. EX. 189), Gershwin A. Drain, of Michigan, to be United States District Judge for the Eastern District of Michigan.

**Pages S5927–32**

James Xavier Dempsey, of California, to be a Member of the Privacy and Civil Liberties Oversight Board for a term expiring January 29, 2016.

Elisebeth Collins Cook, of Illinois, to be a Member of the Privacy and Civil Liberties Oversight Board for a term expiring January 29, 2014.

Laura A. Cordero, of the District of Columbia, to be a Member of the Board of Trustees of the Harry S Truman Scholarship Foundation for a term expiring December 15, 2015.

Steven H. Cohen, of Illinois, to be a Member of the Board of Trustees of the Harry S Truman Scholarship Foundation for a term expiring December 10, 2013.

Matthew S. Rutherford, of Illinois, to be an Assistant Secretary of the Treasury.

Paul W. Hodes, of New Hampshire, to be a Member of the National Council on the Arts for a term expiring September 3, 2016.

Meredith M. Broadbent, of Virginia, to be a Member of the United States International Trade Commission for a term expiring June 16, 2017.

Mark J. Mazur, of New Jersey, to be an Assistant Secretary of the Treasury.

Rachel L. Brand, of Iowa, to be a Member of the Privacy and Civil Liberties Oversight Board for a term expiring January 29, 2017.

Patricia M. Wald, of the District of Columbia, to be a Member of the Privacy and Civil Liberties Oversight Board for a term expiring January 29, 2013.

Major General John Peabody, United States Army, to be a Member and President of the Mississippi River Commission.

Danny Chappelle Williams, Sr., of Oklahoma, to be United States Attorney for the Northern District of Oklahoma for the term of four years.

Patricia K. Falcone, of California, to be an Associate Director of the Office of Science and Technology Policy.

Ingrid A. Gregg, of Michigan, to be a Member of the Board of Trustees of the Harry S Truman Scholarship Foundation for a term expiring December 10, 2017.

James L. Henderson, of Kentucky, to be a Member of the Board of Trustees of the Harry S Truman Scholarship Foundation for a term expiring December 10, 2017.

Gene Allan Cretz, of New York, to be Ambassador to the Republic of Ghana.

Sean Sullivan, of Connecticut, to be a Member of the Defense Nuclear Facilities Safety Board for a term expiring October 18, 2015.

Deborah Ruth Malac, of Virginia, to be Ambassador to the Republic of Liberia.

Thomas Skerik Sowers II, of Missouri, to be an Assistant Secretary of Veterans Affairs (Public and Intergovernmental Affairs).

Thomas Hart Armbruster, of New York, to be Ambassador to the Republic of the Marshall Islands.

David Bruce Wharton, of Virginia, to be Ambassador to the Republic of Zimbabwe.

Greta Christine Holtz, of Maryland, to be Ambassador to the Sultanate of Oman.

Alexander Mark Laskaris, of Maryland, to be Ambassador to the Republic of Guinea.

Marcie B. Ries, of the District of Columbia, to be Ambassador to the Republic of Bulgaria.

John M. Koenig, of Washington, to be Ambassador to the Republic of Cyprus.

Kimberley Sherri Knowles, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years. (Prior to this action, Committee on Homeland Security and Governmental Affairs was discharged from further consideration.)

**Pages S6004–06**

Michael David Kirby, of Virginia, to be Ambassador to the Republic of Serbia.

James B. Cunningham, of New York, to be Ambassador to the Islamic Republic of Afghanistan. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

**Page S6006**

1 Air Force nomination in the rank of general.

3 National Oceanic and Atmospheric Administration nominations in the rank of admiral.

Routine lists in the Foreign Service. **Pages S6005**

**Nominations Received:** Senate received the following nominations:

Pamela Ki Mai Chen, of New York, to be United States District Judge for the Eastern District of New York.

Christopher J. Meade, of New York, to be General Counsel for the Department of the Treasury.

Iqbal Paroo, of Florida, to be a Member of the Board of Directors of the African Development Foundation for a term expiring September 22, 2017.

William J. Mielke, of Wisconsin, to be a Member of the Advisory Board of the Saint Lawrence Seaway Development Corporation.

Arthur H. Sulzer, of Pennsylvania, to be a Member of the Advisory Board of the Saint Lawrence Seaway Development Corporation.

Eric Kenneth Fanning, of the District of Columbia, to be Under Secretary of the Air Force.

Jenny R. Yang, of the District of Columbia, to be a Member of the Equal Employment Opportunity Commission for a term expiring July 1, 2017.

John Hardy Isakson, of Georgia, to be a Representative of the United States of America to the Sixty-seventh Session of the General Assembly of the United Nations.

Patrick J. Leahy, of Vermont, to be a Representative of the United States of America to the Sixty-seventh Session of the General Assembly of the United Nations.

Kevin K. Washburn, of New Mexico, to be an Assistant Secretary of the Interior.

3 Air Force nominations in the rank of general.

8 Army nominations in the rank of general.

1 Navy nomination in the rank of admiral.

Routine lists in the Air Force, Army, and Navy.

Pages S6014–19

Messages from the House: Pages S5972–73

Measures Referred: Pages S5973–74

Measures Placed on the Calendar: Page S5974

Measures Read the First Time: Pages S5974, S6014

Enrolled Bills Presented: Page S5974

Executive Communications: Pages S5974–75

Petitions and Memorials: Pages S5975–76

Executive Reports of Committees: Page S5976

Additional Cosponsors: Pages S5978–80

Statements on Introduced Bills/Resolutions: Pages S5980–95

Additional Statements: Pages S5969–72

Amendments Submitted: Pages S5995–S6004

Authorities for Committees to Meet: Page S6004

Privileges of the Floor: Page S6004

Record Votes: Three record votes were taken today. (Total—189) Pages S5919–20, S5932

**Adjournment:** Senate convened at 9:30 a.m. and adjourned, pursuant to the provisions of S. Con. Res. 59, at 8:31 p.m., until 10:15 a.m. on Friday, August 3, 2012 (Unless the Senate has received a message from the House of Representatives that the House has adopted S. Con. Res. 59, Adjournment Resolution. And if the Senate has received such a message, the Senate stand adjourned until 2 p.m., on Monday, September 10, 2012). (For Senate's program, see the remarks of the Majority Leader in today's RECORD on page S6014.)

## Committee Meetings

(Committees not listed did not meet)

### BUSINESS MEETING

*Committee on Appropriations:* Committee ordered favorably reported the following business items:

An original bill (H.R. 5856) making appropriations for the Department of Defense for the fiscal year ending September 30, 2013; and

An original bill (H.R. 5882) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2013.

### TRI-PARTY REPO MARKET

*Committee on Banking, Housing, and Urban Affairs:* Subcommittee on Securities, Insurance and Investment concluded a hearing to examine the tri-party repo market, focusing on the remaining challenges, after receiving testimony from Matthew J. Eichner, Deputy Director of the Division of Research and Statistics, Board of Governors of the Federal Reserve System; Karen B. Peetz, The Bank of New York Mellon, Brooklyn Heights, New York; Steven R. Meier, State Street Global Advisors, Sudbury, Massachusetts; and Thomas G. Wipf, Morgan Stanley, Brooklyn, New York.

### BUSINESS MEETING

*Committee on Finance:* Committee ordered favorably reported an original bill entitled, "The Family and Business Tax Cut Certainty Act of 2012".

### BUSINESS MEETING

*Committee on the Judiciary:* Committee ordered favorably reported the following business items:

S. 225, to permit the disclosure of certain information for the purpose of missing child investigations, with an amendment in the nature of a substitute;

S.J. Res. 44, granting the consent of Congress to the State and Province Emergency Management Assistance Memorandum of Understanding; and

The nominations of Thomas M. Durkin, to be United States District Judge for the Northern District of Illinois, and Jon S. Tigar, and William H. Orrick, III, of the District of Columbia, both to be a United States District Judge for the Northern District of California.

### BUSINESS MEETING

*Committee on Veterans' Affairs:* Committee ordered favorably reported the nomination of Thomas Skerik Sowers II, of Missouri, to be Assistant Secretary of Veterans Affairs for Public and Intergovernmental Affairs.